

EIS000196

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14 Thank you. My name is Jamieson Walker as you
15 already heard. In this hat, I'm representing the Nye County
16 Department of Natural Resources and Federal Facilities.

17 The purpose of the DEIS is to identify and
18 evaluate potential impacts that will likely occur when DOE
19 begins the construction, operation and closure of the proposed
20 repository at Yucca Mountain.

1...

21 [Nye County finds that the DEIS presents a
22 perspective of a single federal agency in its analysis of the
23 potential impacts.

24 Unfortunately the DEIS does not incorporate the
25 data, methods, viewpoints and analyses developed by the host

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1 county, Nye County.

2 Because of this narrow agency viewpoint, the DEIS
3 does not realistically define the affected environment and
4 appropriate regions of influence for study.

5 It ignores data, information and analysis
6 collected and prepared by the County] and [fails to identify
7 other federal actions and policies affecting Nye County in the
8 analysis of cumulative impacts.]

11

9 [As a result the DOE's analysis does not
10 accurately portray how this action could potentially impact the
11 residents of Nye County, the citizens most directly affected
12 and subject to both the short-term consequences and the
13 long-term risks associated with the repository.]

2

14 Thus [Nye County believes that the DEIS is
15 inadequate and requests that a second Draft EIS that addresses
16 these -- these inadequacies be prepared and released for public
17 review and comment.]

3

18 [The regions of influence or study areas selected
19 for this EIS reflect the narrow federal viewpoint of this DEIS.
20 There is an inherent policy statement in the DEIS that DOE
21 believes that federal land ownership of the majority of the
22 area abrogates their responsibility to evaluate impacts to
23 non-federal entities.

4

24 For example, the analysis of land use impacts is
25 limited to DOE's proposed land withdrawals and its federal

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4 cont.

1 neighbors. It doesn't even consider impacts to the Town of
2 Amargosa Valley, which it overlaps.

3 In essence, using the selected study areas, DOE
4 has limited its evaluation of impacts to federally managed
5 lands and has taken the position that any unquantified impacts
6 to local communities would be absorbed.]

5

7 [Further use of these regions of influence in
8 analysis minimizes the potential impacts to Nye County, its
9 residents and the availability of resources.

10 Land use, water resources and demographic
11 baseline data are examples of resource areas where
12 inappropriate regions of influence and baseline data are used.

13 The result is an EIS that does not accurately
14 evaluate and quantify the related effects and risks that rely
15 upon population and related demographic data.]

6

16 [NEPA affords local governments the opportunity to
17 identify the potential impacts as they affect the local
18 government, especially when an action is site specific as in
19 the Yucca Mountain repository action.

20 NEPA also allows and the President's Council on
21 Environmental Quality recommends that local governments be
22 closely involved in the NEPA process even as cooperating
23 agencies.]

7

24 [Just as the DEIS acknowledges views of Native
25 American tribes in the region, the EIS should acknowledge the

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7 cont.

1 views of Nye County.

2 The viewpoint, analysis and mitigation measures
3 provided by the County are referenced but not incorporated and
4 have not been fully accounted for in the proposed action.]

8

5 [The DOE identifies opposing technical viewpoints
6 in its DEIS. DOE identifies Nye County's perspective as a
7 local viewpoint rather than an opposing technical viewpoint.

8 While Nye County is in agreement on some
9 technical issues where our analyses yielded different
10 conclusions, our results must be identified in the Final EIS as
11 opposing technical viewpoints.]

9

12 [DOE in the Yucca Mountain project DEIS fails to
13 identify several of the indirect, direct cumulative and
14 indirect cumulative impacts in the locale of proposed action as
15 required by NEPA, and thus is flawed.

16 The EIS fails to include impacts of past and
17 present actions and policies as well as reasonably foreseeable
18 actions identified in other federal, state and local documents.]

10

19 [In this regard, federal agencies, including the
20 DOE Nevada, the United -- US Forest Service, the Nevada --
21 National Park Service, US Air Force, US Navy, BLM, Bureau of
22 Indian Affairs and US Fish & Wildlife Service have repeatedly
23 failed to fulfill their obligations under NEPA by refusing to
24 acknowledge such impacts in their NEPA reviews and provide
25 mitigation measures that are appropriate.

10 cont.

1 Nye County's analyses and evaluations identified
2 a range of direct and in direct cumulative impacts. Examples
3 in the transportation, land use, water resources and lost
4 economic opportunity and others.

5 The County believes that these impacts, although
6 adverse and significant, can be mitigated through various
7 measures.

8 With the cessation of nuclear weapons testing in
9 1992, Nye County has made substantial efforts to plan for its
10 economic future in the US 95 corridor.

11 The DEIS does not recognize these plans and does
12 not reflect a DOE obligation to ensure that the Yucca Mountain
13 project will not thwart those plans.

14 Nye County by virtue of its location,
15 characteristics and overwhelming federal presence has been
16 disproportionately impacted by past, present and continuing
17 federal action.

18 Nye County must receive just equity offsets,
19 mitigation and compensation from the United States to mitigate
20 cumulative effects of these past and present actions in the
21 proposed repository -- in the proposed repository, should it go
22 forward.]

23 Nye County will continue to identify
24 environmental and human health and safety issues, the potential
25 impacts and appropriate mitigation measures and will ensure

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1 that the County's position is made part of the DOE's
2 administrative record for the NEPA process.

3 Thank you.

4 MR. LAWSON: Thank you.

5 MS. BOOTH: Thank you.

6 MR. LAWSON: Our next speaker is Marsha

7 Hoffman, to be followed by Slim Sirnes -- I think I pronounced
8 that correctly -- and then Mr. Walker again.

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